

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF BEE CAVE
FEBRUARY 14, 2012

STATE OF TEXAS §

COUNTY OF TRAVIS §

Present:

Caroline Murphy, Mayor
Chad Bockius, Council Member
Bob Dorsett, Jr., Council Member
Bill Goodwin, Council Member
Jack McCool, Mayor Pro Tem
Mike Murphy, Council Member

City Staff:

Frank Salvato, City Administrator
Travis Askey, Deputy City Administrator
Patty Akers, City Attorney
Kaylynn Holloway, City Secretary
Amy Kelley, Systems Administrator
Russell Pancoast, Police Chief
Giancarlo Patino, Engineer Associate
Stephen Myrick, Building Official
Barbara Hathaway, Library Director

Call to Order and Announce a Quorum is Present

With a quorum present, the Regular Meeting of the Bee Cave City Council was called to order by Mayor Murphy at 6:00 p.m. on Tuesday, February 14, 2012 in the Council Chambers of the City of Bee Cave City Hall, 4000 Galleria Parkway, Bee Cave, Texas.

Pledge of Allegiance

Citizen Comments

Eric Scheibe, 3315 Santee Drive, introduced his engineering firm to the Council.

Consider approval of minutes of the Regular meeting conducted on January 24, 2012.

MOTION: A motion was made by Council Member Bockius, seconded by Mayor Pro Tem McCool, to approve the minutes of January 24, 2012 as presented.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett,
Goodwin and Murphy
Voting Nay: None
Absent: None

The motion carried.

Discuss and consider a sign variance for Riviera Bistro located in the Shops at the Galleria, 12801 Shops Parkway, Suite 200.

Daniel Myrick, Vice President and General Counsel for Christopher Commercial, Inc., was present at the meeting to answer questions.

MOTION: A motion was made by Council Member Murphy, seconded by Council Member Dorsett, to approve the sign variance for Riviera Bistro as depicted.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett,
Goodwin and Murphy
Voting Nay: None
Absent: None

The motion carried.

Discuss and consider action on a Site and NPS Plan for Austin Tennis Academy, located at 6800 Spanish Oaks Club Boulevard.

MOTION: A motion was made by Council Member Bockius, seconded by Mayor Pro Tem McCool, to approve the site and NPS Plan for Austin Tennis Academy as presented.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett,
Goodwin and Murphy
Voting Nay: None
Absent: None

The motion carried.

Discuss and consider action on the re-plat of Lot 15, Block A, Amended Final Plat Hill Country Galleria of Lots 1-8 and 10-26, Block A, Lots 1-3 and 5-8, Block B and Lot 1, Block A.

MOTION: A motion was made by Council Member Murphy, seconded by Council Member Dorsett, to approve the re-plat of Lot 15, Block A in the Hill Country Galleria.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett,
Goodwin and Murphy
Voting Nay: None
Absent: None

The motion carried.

Discuss and consider action on the site plan amendment for Lot 15, Block A of the Hill Country Galleria.

MOTION: A motion was made by Council Member Dorsett, seconded by Council Member Murphy, to approve the site plan amendment for Lot 15, Block A of the Hill Country Galleria.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett,
Goodwin and Murphy
Voting Nay: None
Absent: None

The motion carried.

Discuss and consider action on a Franchise Agreement with Texas Gas Service and discuss other utility franchise agreements and fees.

City Attorney Patty Akers and City Administrator Frank Salvato explained the proposed franchise agreement and related fees.

This item will be placed on a future Council meeting for consideration.

Discuss and consider action on the 2011 Racial Profiling Report.

Police Chief Russell Pancoast presented this item.

MOTION: A motion was made by Council Member Dorsett, seconded by Council Member Goodwin, to approve the 2011 Racial Profiling Report.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett,
Goodwin and Murphy
Voting Nay: None
Absent: None

The motion carried.

Discuss and consider action on an engagement letter from Pattillo, Brown & Hill to provide audit services for FY 2012.

MOTION: A motion was made by Council Member Murphy, seconded by Mayor Pro Tem McCool, to approve the engagement letter from Pattillo, Brown & Hill to provide audit services for FY 2012.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett,
Goodwin and Murphy
Voting Nay: None
Absent: None

The motion carried.

Discuss and consider action on a request to use the Municipal Court Technology Fund to purchase Content/Document Management Suite for Paperless Court from Tyler Technologies.

MOTION: A motion was made by Council Member Murphy, seconded by Council Member Dorsett, to approve the use of the Municipal Court Technology Fund to purchase document management software from Tyler Technologies.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett,
Goodwin and Murphy
Voting Nay: None
Absent: None

The motion carried.

Executive Session

The City Council closed the Open Session at 6:46 p.m. to convene in Executive Session in the Conference Room.

At this point in the meeting, Mayor Murphy publicly announced that a closed, executive session would be held and identified the sections of the Open Meeting Law under which the meeting would be held.

Executive session in accordance with the Texas Government Code, Section 551.072 – Deliberation regarding Real Property; and Section 551.071 – Consultation with Attorney in which the Attorney has a duty to the City under the Texas Disciplinary Rules of Professional Conduct that clearly conflicts with the provisions of the Open Meetings Law.

- A. Consultation with Attorney regarding authority of city to enforce building, sign and development ordinances and litigation with AusPro Enterprises, LP.
- B. Discussion regarding acquisition of real property for possible use as water quality mitigation land.

The City Council closed the Executive Session at 7:56 p.m. and reconvened in Regular Session in the Council Chambers.

Adjournment

MOTION: A motion was made by Mayor Pro Tem McCool, seconded by Council Member Bockius, to adjourn.

The vote was taken on the motion with the following result:

Voting Aye:	Mayor Pro Tem McCool, Council Members Bockius, Dorsett, Goodwin, and Murphy
Voting Nay:	None
Absent:	None

The motion carried.

The City Council adjourned the Regular Session at 7:56 p.m.

PASSED AND APPROVED this 28th day of February, 2012.

Caroline Murphy, Mayor

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ATTEST:

Kaylynn Holloway, City Secretary

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